

CV 12 - 2601

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

LAURIE NORBERG,

Plaintiff,

v.

COHEN & SLAMOWITZ, LLP,

Defendant.

SUMMONS ISSUED

COMPLAINT AND DEMAND  
FOR JURY TRIAL

WEXLER, J

TOM INSOLVENCY

INTRODUCTION

1. This action arises under the Fair Debt Collection Practices Act, 15 U.S.C. 1692, et seq., (FDCPA) with supplemental claims arising under New York General Business Law § 349 (NYGBL).

This case concerns a pattern of impermissible debt collection calls and deceptive misrepresentations made during a consumer debt lawsuit.

JURISDICTION AND VENUE

2. Jurisdiction of the court is conferred by 15 U.S.C. § 1692k(d) and 28 U.S.C. § 1331 in that this dispute involves predominant issues of federal law. The defendant has violated numerous provisions of the FDCPA.

3. Supplemental jurisdiction exists for the state law claims pursuant to 28 U.S.C. § 1367.

4. Declaratory relief is available pursuant to 28 U.S.C. §§ 2201 and 2202.

5. Venue in this district is proper in that the defendant transacted business here and the conduct complained of occurred here.

6. The defendant regularly does business within this district, and has engaged in a persistent course of conduct within this district. The defendant also derived substantial revenue from services rendered in this judicial district and state.

7. The defendant expected or reasonably should have expected the acts alleged in this complaint would have consequences in this judicial district and state. The defendant derives substantial revenue from interstate commerce.

8. The defendant caused transactions and occurrences alleged in this complaint to take place in this judicial district and state.

#### **PARTIES**

9. Plaintiff LAURIE NORBERG (“plaintiff”) is a natural person who resided at all relevant times in Nassau County, New York.

10. Plaintiff is a “consumer” as defined by 15 U.S.C. § 1692(a)(3) of the FDCPA.

11. COHEN & SLAMOWITZ, LLP (“defendant”) is a domestic limited liability partnership organized and existing under the laws of New York.

12. Defendant’s principal place of business is located at 199 Crossways Park Drive, Woodbury, New York 11797-2016.

13. The principal purpose of the defendant is the collection of debts using the instrumentalities of interstate commerce, including mails and telephone, and defendant regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due to another.

14. Defendant is a “debt collector” as defined by 15 U.S.C. § 1692a(6) of the FDCPA.

15. All acts done by defendant’s employees or agents were done on defendant’s behalf.

16. The alleged debt at issue arose out of a transaction that was primarily for personal, family or household purposes, and is therefore a “debt” as that term is defined by 15 U.S.C. § 1692a(5).

### FACTUAL ALLEGATIONS

17. The defendant, on behalf of debt buyer, Empire Portfolios, Inc. (“Empire”) commenced a consumer credit action against plaintiff on October 21, 2011 under the caption Empire Portfolios, Inc. v. Laurie K. Norberg, Index # 038086/11. Annexed as **Exhibit 1** is the summons and complaint. Empire sought amounts allegedly owed by plaintiff to Empire’s alleged predecessor-in-interest, Chase Bank.

18. The underlying Chase account referenced in Empire’s complaint was used by plaintiff for personal and household uses. At all relevant times, plaintiff disputed Empire’s legal interest and ownership of the Chase debt.

19. Empire and defendant sought to collect from plaintiff “\$9,229.71 as of December 30, 2009 WITH INTEREST FROM December 30, 2009.” Upon information and belief, defendant knew that Empire had no legal right to collect accruing interest post default.

20. By letter dated November 2, 2011 (**Exhibit 2**), defendant dunned plaintiff claiming \$10,899.06 as the balance due.

21. In response to Exhibit 2, plaintiff sent by certified mail, return receipt requested, a letter dated November 11, 2011 (**Exhibit 3**) containing a demand for validation of the

debt and a clear demand not to be contacted by phone. Page 2 of said letter states the following:

“ I would also like to request, in writing, that no telephone contact be made by your offices to my home or to my place of employment. If your offices attempt telephone communication with me, including but not limited to computer generated calls and calls or correspondence sent to or with any third parties, it will be considered harassment and I will have no choice but to file suit.”

22. Annexed as **Exhibit 4** is the proof of mailing and return receipt for said demand letter demonstrating its receipt by defendant on November 15, 2011.

23. By letter dated November 14, 2011 (**Exhibit 5**), defendant asserted as owed \$10,926.37 an amount of \$1,696.66 beyond what was alleged in the complaint.

24. By letter dated November 16, 2011 (**Exhibit 6**), one day after receipt of plaintiff's dispute/validation letter, defendant sent another dun to plaintiff without having first validated the debt. This letter makes no reference to plaintiff's demand and dispute letter but instead sought to collect the alleged debt. In this letter, defendant alleged another inconsistent account as being owed. This time the figure was \$10,930.92. The amounts demanded by defendant have been inconsistent, confusing and deceptive.

25. Despite plaintiff's lawful request to cease telephone contacts, defendant made at least another six telephone calls to plaintiff.

26. Annexed as **Exhibit 7** are Verizon phone logs proving that defendants made the following calls, ignoring plaintiff's demand to stop defendant's harassing telephone calls.

The following calls are recorded:

- November 16, 2011 at 12:27 p.m.
- December 1, 2011 at 9:39 a.m.
- December 20, 2011 at 8:33 a.m.
- December 22, 2011 at 11:20 a.m.
- December 29, 2011 at 11:36 a.m.

- January 5, 2012 at 4:47 p.m.

27. The defendant continued to communicate with plaintiff without ever sufficiently validating the alleged debt in response to her lawful demands. The parties settled the Empire case on January 19, 2012. Upon information and belief, neither Empire or defendant Cohen & Slamowitz supplied sufficient proof of Empire's ownership or the existence of the Chase debt at any point during the case.

28. The plaintiff's settlement agreement in no way impaired plaintiff's right to pursue the defendant's independent FDCPA violations in this action.

**FIRST CLAIM FOR RELIEF  
(Violations of the FDCPA)**

29. The plaintiff repeats, realleges and incorporates by reference the foregoing paragraphs.

30. The defendant violated FDCPA §§ 1692c, 1692c(a), 1692c(b), 1692c(c), 1692d, 1692e, 1692e(2)(A), 1692e(3), 1692e(3), 1692e(5), 1692e(6), 1692e(9), 1692e(10), 1692e(13), 1692f, 1693f(1), 1692g, and 1692g(b) for the following:

- Calling plaintiff's home at least six times after receiving a written demand to stop calling her at home.
- Communicating with plaintiff at times and at a place known by to be inconvenient for plaintiff.
- Communicating information to a third party, which revealed the plaintiff's indebtedness.
- Failing to state to a third party that it was confirming or correcting location information.
- Revealing defendant's collection law firm identity without request.
- Failing to cease calls after receiving plaintiff's timely, written demand to stop telephonic contacts.

- Failing to sufficiently validate the plaintiff's Chase debt in response to plaintiff's November 11, 2011 dispute letter and her December 5, 2011 discovery demands.
- Misrepresenting the legal amount owed in written communications.
- Asserting several inconsistent amounts as being owed.
- Sending written communications (some unsigned) to plaintiff on attorney letterhead making false implications that said communications were meaningfully reviewed from an attorney when they were not.
- Using false representations and deceptive means to collect or attempt to collect a debt.
- The natural consequence of defendant's behavior was to harass, oppress, and abuse the plaintiff.
- Collecting amounts, including fees, interest, charges and expenses not authorized between the parties.

31. As a result of the above violations of the FDCPA, defendant is liable to plaintiff for actual damages as set forth in this complaint, statutory damages, costs and reasonable attorneys' fees pursuant to 15 U.S.C. § 1692k.

**SECOND CLAIM FOR RELIEF  
(Violations of NYGBL § 349)**

32. The plaintiff repeats, realleges and incorporates by reference the foregoing paragraphs.

33. NYGBL § 349 declares unlawful deceptive acts or practices in the conduct of any business, trade, or commerce, or in the furnishing any service in the State of New York.

34. The conduct complained of in this complaint occurred during, and in furtherance of, defendant's for-profit business enterprise of pursuing consumers for alleged defaulted debt obligations.

35. At all times material to this complaint, defendant's deceptive acts and practices that gave rise to the claims herein occurred while defendant conducted its business of collecting consumer debts.

36. Defendant's collection acts and practices have been directed entirely at consumers. Defendant's acts and practices have a broad impact on the New York consuming public.

37. Defendant's collection acts are part of a recurring practice against large numbers of consumers in furtherance of its business model of increasing debt volume while decreasing the costs of each case, thus enhancing profitability.

38. Defendant's offending collection practices have the capacity and tendency to deceive and mislead a significant percentage of consumers in a material way because they deprive consumers of state and federal rights and protections. These acts contribute to an increasing number of personal bankruptcies, and lead to marital instability and job loss, all of which are significant social concerns that applicable federal and state consumer protection laws were designed to prevent.

39. The acts and omissions complained of in this complaint under the preceding cause of action amount to "deceptive acts and practices" as defined under NYGBL § 349 and the case law interpreting it.

40. Some or all of the FDCPA violations alleged in this complaint amount to *per se* violations of NYGBL § 349.

41. As a result of defendant's deceptive acts and practices, the plaintiff has suffered actual damages as alleged in this complaint.

42. As a result of these violations of NYGBL § 349, plaintiff is entitled to an injunction barring defendant from engaging in deceptive acts and practices, including the collection of this discharged debt, and to recover actual damages, three times the actual damages up to \$1,000, costs and reasonable attorneys' fees pursuant to NYGBL § 349(h).

**Plaintiff's Actual Damages**

43. The defendant's misconduct has caused the plaintiff to incur out-of-pocket costs including legal fees and costs, mailing and facsimile costs, and transportation costs.

44. The plaintiff suffered other actual, non-pecuniary damages, including emotional distress, loss of tranquility, hostility, anxiety, worry, fear, fright, shock, distress, lost concentration, stress, and grief.

**WHEREFORE**, plaintiff respectfully requests a trial by jury and also requests that judgment be entered against defendant for the following:

- a. On the FIRST CLAIM FOR RELIEF (FDCPA), statutory damages, actual damages, costs and reasonable attorneys' fees pursuant to 15 U.S.C. § 1692k;
- b. On the SECOND CLAIM FOR RELIEF (NYGBL § 349), injunctive relief, actual damages, three times the actual damages up to \$1,000, costs and reasonable attorneys' fees pursuant to NYGBL § 349(h); and
- c. For such other and further relief as the Court may deem just and proper.

**DEMAND FOR JURY TRIAL**

Pursuant to Federal Rule of Civil Procedure 38, plaintiff demands a trial by jury as to all issues so triable.

Dated: New York, NY  
May 22, 2012



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Jesse Langel, Esq. (JL-7079)  
The Langel Firm  
*Attorney for Plaintiff*  
225 Broadway, Suite 700  
New York, NY 10007  
646-290-5600  
jesse@langellaw.com

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**Exhibit 1**

DISTRICT COURT OF THE COUNTY OF NASSAU  
FIRST DISTRICT: HEMPSTEAD

-----X  
EMPIRE PORTFOLIOS, INC.  
PLAINTIFF,

-AGAINST-

LAURIE K NORBERG  
DEFENDANT(S).  
-----X

CONSUMER CREDIT TRANSACTION

INDEX NUMBER:  
C&S FILE NO. C489214

**SUMMONS**

PLAINTIFF'S ADDRESS:  
199 CROSSWAYS PARK DR  
WOODBURY, NY 11797

THE BASIS OF THE VENUE IS  
DEFENDANT'S RESIDENCE

038086/11

TO THE ABOVE NAMED DEFENDANT(S):

**YOU ARE HEREBY SUMMONED** AND REQUIRED TO APPEAR IN THE DISTRICT COURT OF THE COUNTY OF NASSAU, FIRST DISTRICT: HEMPSTEAD, AT THE OFFICE OF THE CLERK OF THE SAID COURT AT 99 MAIN STREET, HEMPSTEAD, NY 11550, IN THE COUNTY OF NASSAU, STATE OF NEW YORK, BY SERVING AN ANSWER TO THE ANNEXED COMPLAINT UPON PLAINTIFF'S ATTORNEY, AT THE ADDRESS STATED BELOW, OR IF THERE IS NO ATTORNEY, UPON THE PLAINTIFF AT THE ADDRESS STATED ABOVE, WITHIN THE TIME PROVIDED BY LAW AS NOTED BELOW;

UPON YOUR FAILURE TO ANSWER, JUDGMENT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT, TOGETHER WITH COSTS OF THIS ACTION.

OCT 21 2011

DATED: October 6, 2011

**COHEN & SLAMOWITZ, LLP**  
ATTORNEYS FOR PLAINTIFF

**P.O. BOX 9004, 199 CROSSWAYS PARK DR., WOODBURY, NY 11797-9004**  
(516) 686-8986; (800) 293-6006 ext. 8986; Refer to C&S File No. C489214

NOTE: THE LAW OR RULES OF LAW PROVIDE THAT:

A) IF THIS SUMMONS IS SERVED BY ITS DELIVERY TO YOU, OR (FOR A CORPORATION) AN AGENT AUTHORIZED TO RECEIVE SERVICE, PERSONALLY WITHIN THE COUNTY OF NASSAU, YOU MUST ANSWER WITHIN TWENTY (20) DAYS AFTER SUCH SERVICE; OR

B) IF THIS SUMMONS IS SERVED BY OTHERWISE THAN AS DESIGNATED IN SUBDIVISION (A) ABOVE, YOU ARE ALLOWED THIRTY (30) DAYS TO ANSWER AFTER THE PROOF OF SERVICE IS FILED WITH THE CLERK OF THIS COURT.

C) YOU ARE REQUIRED TO FILE A COPY OF YOUR ANSWER TOGETHER WITH PROOF OF SERVICE WITH THE CLERK OF THE DISTRICT IN WHICH THE ACTION IS BROUGHT WITHIN TEN (10) DAYS OF THE SERVICE OF THE ANSWER.

DEFENDANTS TO BE SERVED:

LAURIE K NORBERG, 2690 PARK AVE, BALDWIN NY 11510

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT.  
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.



1D3672126

DISTRICT COURT OF THE COUNTY OF NASSAU  
FIRST DISTRICT: HEMPSTEAD

-----X

EMPIRE PORTFOLIOS, INC.

PLAINTIFF,

INDEX NUMBER

-AGAINST-

FILE NO. C489214

LAURIE K NORBERG

**COMPLAINT**

DEFENDANT(S).

-----X

PLAINTIFF, BY ITS ATTORNEYS, COMPLAINING OF THE DEFENDANT(S), RESPECTFULLY ALLEGES THAT:

1. PLAINTIFF IS A CORPORATION ORGANIZED UNDER THE LAWS OF THE STATE OF NEW YORK.

2. UPON INFORMATION AND BELIEF, THE DEFENDANT(S) RESIDES OR HAS AN OFFICE IN THE COUNTY IN WHICH THIS ACTION IS BROUGHT, OR THE DEFENDANT(S) TRANSACTED BUSINESS WITHIN THE COUNTY IN WHICH THIS ACTION IS BROUGHT, EITHER IN PERSON OR THROUGH AN AGENT AND THE INSTANT CAUSE OF ACTION AROSE OUT OF SAID TRANSACTION.

**AS AND FOR A FIRST CAUSE OF ACTION**

3. PLAINTIFF REPEATS AND REALLEGES EACH AND EVERY ALLEGATION CONTAINED IN THE FOREGOING PARAGRAPHS AS IF MORE FULLY SET FORTH HEREIN.

4. PLAINTIFF'S PREDECESSOR IN INTEREST, CHASE BANK USA, N.A. (HEREINAFTER "ORIGINAL CREDITOR"), OFFERED TO OPEN A CREDIT CARD ACCOUNT, ACCOUNT NO.4640182021594456 (HEREINAFTER THE "ACCOUNT"), IN DEFENDANT'S NAME.

5. DEFENDANT ACCEPTED THE OFFER BY USING THE ACCOUNT.

6. DEFENDANT DEFAULTED BY FAILING TO REPAY THE BALANCE DUE UNDER THE ACCOUNT. DEMAND FOR PAYMENT WAS MADE, BUT DEFENDANT FAILED TO REPAY THE BALANCE OWED.

7. THE ORIGINAL CREDITOR SOLD THE ACCOUNT, INCLUDING ALL RIGHT, TITLE AND INTEREST IN AND TO THE OUTSTANDING BALANCE OWED BY DEFENDANT. PLAINTIFF PURCHASED THE ACCOUNT PRIOR TO SEPTEMBER 1, 2009 AND IS NOW THE OWNER AND ASSIGNEE OF THE ACCOUNT.

8. DEFENDANT(S) NOW OWE A BALANCE OF \$9,229.71 AS OF December 30, 2009 WITH INTEREST FROM December 30, 2009, NO PART OF WHICH HAS BEEN PAID DESPITE DUE DEMAND THEREFOR.

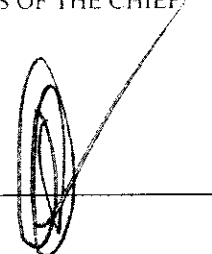
**WHEREFORE**, PLAINTIFF DEMANDS JUDGMENT AGAINST DEFENDANT(S) IN THE SUM OF \$9,229.71 WITH INTEREST FROM December 30, 2009 TOGETHER WITH COSTS AND DISBURSEMENTS.

THE UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT, TO THE BEST OF HIS/HER KNOWLEDGE, INFORMATION AND BELIEF, FORMED AFTER AN INQUIRY REASONABLE UNDER THE CIRCUMSTANCES, THE PRESENTATION OF THE WITHIN COMPLAINT AND THE CONTENTIONS THEREIN ARE NOT FRIVOLOUS AS DEFINED IN PART 130-1.1 OF THE RULES OF THE CHIEF ADMINISTRATOR.

DATED: OCTOBER 6, 2011

YOURS, ETC.  
COHEN & SLAMOWITZ, LLP

BY: S/  
D. Cohen/M. Slamowitz ESQS.  
ATTORNEYS FOR PLAINTIFF  
P.O. BOX 9004, 199 CROSSWAYS PARK DRIVE, WOODBURY,  
NY 11797-9004  
(516) 686-8986; (800) 293-6006 ext. 8986;  
Refer to C&S File No. C489214



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**Exhibit 2**

P.O. BOX 9012  
WOODBURY, NY 11797-9012



5060409214

13675

# Law Offices of Cohen & Slamowitz, LLP

(516) 686-8986  
(800) 293-6006 ext. 8986  
Fax (516) 908-7993  
NYC DCA LICENSE No 1160860



November 02, 2011



32935-02\*\*\*\*\*AUTO\*\*3-DIGIT 115  
Laurie K Norberg  
2690 Park Ave  
Baldwin, NY 11510-4145

41 13675

RE:

Original Creditor: Chase Bank Usa,N.A  
Creditor: Empire Portfolios, Inc.  
Account: 4640182021594456  
C&S File No. C489214  
Index No: 038086/11  
Balance Due As Of November 02, 2011: \$10,899.06

Dear Laurie K Norberg:

We are authorized to offer you a **50% settlement** of the above referenced debt. Your balance due is currently \$10,899.06. Our client will accept the **reduced sum of \$5,449.53** if you pay **on or before November 28, 2011**. Upon receipt and clearance of your payment, your account will be deemed **settled in full** by our client.

We urge you to take advantage of this opportunity to settle your account for pennies on the dollar. Please contact your account representative at the telephone number set forth above as this offer may not be available to you after **November 28, 2011**. Kindly note that this offer to settle is void if you are refinancing or selling your house, or if we have restrained your bank account.

Very Truly Yours,

Cohen &amp; Slamowitz, LLP

ALL CHECKS SHOULD BE FORWARDED DIRECTLY TO THIS OFFICE AND MADE PAYABLE TO EMPIRE PORTFOLIOS, INC.. OUR OFFICE ALSO ACCEPTS WESTERN UNION, MONEY GRAM, MASTERCARD, VISA, AND CHECKS VIA TELEPHONE, OR VISIT OUR WEBSITE AT **WWW.CSLAWLLP.COM** TO MAKE PAYMENTS ONLINE.

**THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**



C489214



EMPIRE PORTFOLIOS, INC.

Please detach and return this portion with your payment

Credit Card Used For Payment	
<input type="checkbox"/> Visa	<input type="checkbox"/> MasterCard
Card Number	Amount
Signature	Exp. Date

Original Creditor: Chase Bank Usa,N.A  
Creditor: Empire Portfolios, Inc.  
Account: 4640182021594456  
C&S File No. C489214  
Index No: 038086/11

Laurie K Norberg  
2690 Park Ave  
Baldwin, NY 11510-4145

COHEN & SLAMOWITZ, LLP  
P.O. BOX 9001  
WOODBURY, NY 11797-9001

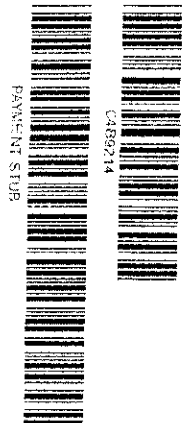


D401280496

LS-7R1-0705

**TOTAL DUE: \$10,899.06**  
**DUE DATE: November 28, 2011**  
**SETTLEMENT AMOUNT: \$5,449.53**

AMOUNT ENCLOSED \$ \_\_\_\_\_



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**Exhibit 3**

November 11, 2011

Laurie K. Norberg  
2690 Park Avenue  
Baldwin, NY 11510

page 5 of 6

Cohen & Slamowitz, LLP  
PO Box 9004  
199 Crossways Park Drive  
Woodbury, NY 11797-9004

Re: INDEX NUMBER C489214

To Whom It May Concern:

This letter is being sent to you in response to a notice sent to me on November 1, 2011. Be advised that this is not a refusal to pay, but a notice sent pursuant to the Fair Debt Collection Practices Act, 15 USC 1692g Sec. 809 (b) that your claim is disputed and validation is requested.

This is NOT a request for "verification" or proof of my mailing address, but a request for VALIDATION made pursuant to the above named Title and Section. I respectfully request that your offices provide me with competent evidence that I have any legal obligation to pay you.

Please provide me with the following:

What the money you say I owe is for;

Explain and show me how you calculated what you say I owe;

Provide me with copies of any papers that show I agreed to pay what you say I owe;

Provide a verification or copy of any judgment if applicable;

Identify the original creditor;

Prove the Statute of Limitations has not expired on this account;

Show me that you are licensed to collect in my state;

Provide me with your license numbers and Registered Agent;

Produce the contract signed by me, account statements, and purchase receipts to prove the amount of the alleged debt.

Produce a full documented chain of title, a statement of consideration paid for the alleged debt, and an account exhibit that includes a specific reference to the assignment and/or bill of sale.

At this time I will also inform you that if your offices have reported invalidated information to any of the 3 major Credit Bureau's (Equifax, Experian or TransUnion) this action might constitute fraud under both Federal and State Laws. Due to this fact, if any negative mark is found on any of my credit reports by your company or the company that you represent I will not hesitate in bringing legal action against you for the following:

Violation of the Fair Credit Reporting Act

Violation of the Fair Debt Collection Practices Act

page 6 of 6

Defamation of Character

If your offices are able to provide the proper documentation as requested in the following Declaration, I will require at least 30 days to investigate this information and during such time all collection activity must cease and desist.

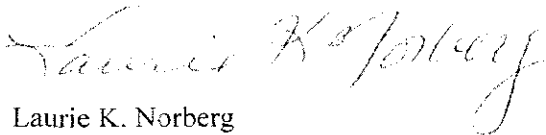
Also during this validation period, if any action is taken which could be considered detrimental to any of my credit reports, I will consult with my legal counsel for suit. This includes any listing or any information to a credit reporting repository that could be inaccurate or invalidated or verifying an account as accurate when in fact there is no provided proof that it is.

If your offices fail to respond to this validation request within 30 days from the date of your receipt, all references to this account must be deleted and completely removed from my credit file and a copy of such deletion request shall be sent to me immediately.

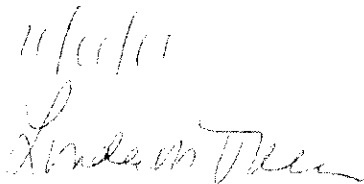
\* I would also like to request, in writing, that no telephone contact be made by your offices to my home or to my place of employment. If your offices attempt telephone communication with me, including but not limited to computer generated calls and calls or correspondence sent to or with any third parties, it will be considered harassment and I will have no choice but to file suit. All future communications with me MUST be done in writing and sent to the address noted in this letter by USPS.

It would be advisable that you assure that your records are in order before I am forced to take legal action. This is an attempt to correct your records, any information obtained shall be used for that purpose.

Respectfully,



Laurie K. Norberg



LINDA M. OHLSEN  
Notary Public, State of New York  
No. 5000379  
Qualified in Nassau County  
Commission Expires August 17, 2014

---

**Exhibit 4**

**SENDER: COMPLETE THIS SECTION**

■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
 ■ Print your name and address on the reverse so that we can return the card to you.  
 ■ Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Empire Bart Holdings, Inc  
 Cohen + Sternfeld, LLP  
 P.O. Box 9004  
 199 Crossways Park Dr  
 Pearlburg NY 11797-9004

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X


☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

11/15/14

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes2. Article Number  
(Transfer from service label)

7011 0110 0001 1880 9336

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

# Service™ CERTIFIED MAIL™ RECEIPT

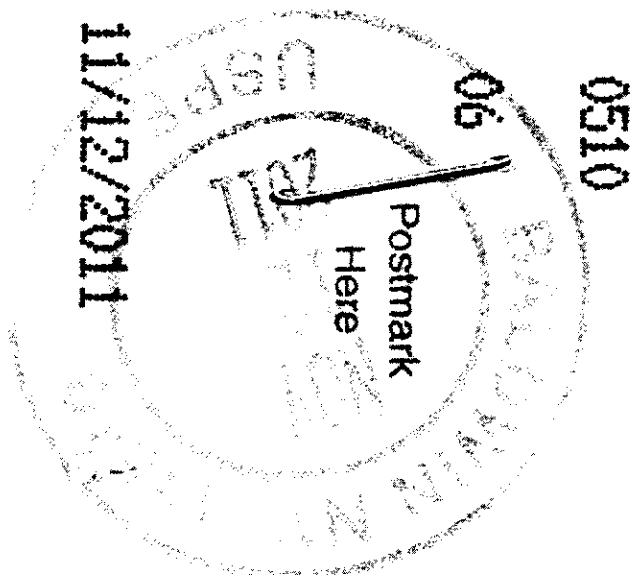
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES**

Postage  
Certified Fee  
Return Receipt Fee  
(Endorsement Required)  
Restricted Delivery Fee  
(Endorsement Required)  
Total Postage & Fees

\$	\$0.64
	\$2.85
	\$2.30
	\$0.00
\$	\$5.79



Sent To

Empire Postfiles, Attention: Slimmady 1214P  
Street, Apt. No.: 150 Box 9004  
or PO Box No. 150 Box 9004  
City, State, ZIP+4: 150 Box 9004

City, State, ZIP+4

Woodbury, NY 11797-9004

PS Form 3800, August 2006

See Reverse for Instructions

---

**Exhibit 5**

**Law Offices**  
**Cohen & Slamowitz, LLP**

**(516) 686-8986**

**Fax 516 364-6067**

**Firm Representative: SHANA HUSSAIN**

**P.O. Box 9004**

**Woodbury, NY 11797-9004**

**NYC DCA License No. 1160860**

November 14, 2011



LAURIE K NORBERG  
2690 PARK AVE  
BALDWIN NY 11510

Re: Original Creditor: CHASE BANK USA, N.A.  
Creditor: EMPIRE PORTFOLIOS, INC.  
Client Account No.: 4640182021594456  
C&S File No.: C489214  
Index No.: 038086/11  
Balance Due: \$10,926.37

Dear LAURIE K NORBERG:

Enclosed please find an additional copy of the summons pursuant to New York State law.

If you wish to discuss this matter, please do not hesitate to contact us.

Very Truly Yours,

David A. Cohen, Esq./Mitchell G. Slamowitz, Esq.

P.S. All checks should be forwarded directly to our office and made payable to EMPIRE PORTFOLIOS, INC. . Our office also accepts Western Union, Money Gram, MasterCard, VISA, and checks via phone, or visit our website at [www.cslawllp.com](http://www.cslawllp.com) to make payments online.

**THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

LSMAIL1



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**Exhibit 6**

## Law Office of Cohen & Slamowitz, LLP

(516) 364-6006 ext 8442  
(800) 293-6006 ext 8442  
Fax (516) 364-3431

199 Crossways Park Drive  
P.O. Box 9004  
Woodbury, NY 11797-9004  
NYC DCA License No. 1160860

November 16, 2011

LAURIE K NORBERG  
2690 PARK AVE  
BALDWIN, NY 11510

Re: Original Creditor: Chase Bank USA, n.a.  
Creditor: Empire Portfolios, Inc.  
Alleged Debtor: Laurie K Norberg  
Account Number: 4640182021594456  
C&S File Number: C489214  
Index Number: 038086/11  
Balance as of November 16, 2011: \$10,930.92

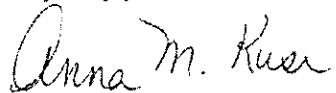
Dear Laurie K Norberg,

Please be advised that our office is in receipt of your answer regarding the above referenced matter.

We have been unsuccessful in trying to reach you. Please contact our office at the above telephone number so that we may discuss the possibility of settling this case without further expense or inconvenience to either yourself or our client.

As you may be aware, the courts welcome communications between the parties that may lead toward the settlement of any litigation. We look forward to hearing from you.

Very truly yours,



Anna M. Kusi  
Legal Assistant

**THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO  
COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT  
PURPOSE**



-----  
**Exhibit 7**

Verizon FIOS® Digital Voice Account Manager

https://www.360.verizon.com/FIOSVoice/members/callsandmessages...

Home Account My Services My Services &amp; More Entertainment Shop Support

Welcome LAURIE Sign Out | Español

Verizon Toolbar gives you Google search plus games, shopping and more.

Web Shop Site &amp; Support

Search

Forecast: 11%

40°F

H: 52°F  
L: 36°F

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FIOS® DIGITAL VOICE

Accounting | Home | User Tools | Services &amp; Support

Phone Book

Home

Calls and Messages (516) 867-0493

Plans &amp; Offers | Settings

Calls and Messages

Visit Log

Voice Mails

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Phone Book

View Status All

Calling Features

Status

Call From

Call To

Date &amp; Time

Voice Mail Settings

Outgoing Call

(516) 867-0493

(516) 385-1858

Yesterday 07:48 PM

Calendar

Outgoing Call

(516) 867-0493

(516) 608-4025

Yesterday 07:09 PM

Directories

Incoming Call

Mom/Dad

(516) 867-0493

Yesterday 01:31 PM

Administration

Outgoing Call

(516) 867-0493

(262) 754-6006

Yesterday 01:05 PM

Extras

Outgoing Call

(516) 867-0493

(262) 754-6006

Yesterday 01:04 PM

Incoming Call

(547) 732-2004

(516) 867-0493

Yesterday 09:31 AM

Incoming Call

(800) 592-0230

(516) 867-0493

01/05/2012 05:32 PM

Incoming Call

Unavailable

(516) 867-0493

01/05/2012 04:47 PM

Incoming Call

UNASSIGNED

(516) 867-0493

01/05/2012 04:42 PM

Outgoing Call

(516) 867-0493

Mom/Dad

01/05/2012 03:21 PM

Delete

Home | My Account | My Services | My Services & More | Entertainment | Shop | Support | Account Settings | Account Information | Account History | Account Billing | Account Security | Account Privacy | Account Terms & Conditions | Account Help

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Home Account My Services Fios® &amp; More Entertainment Shop Support

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Search

September 11, 2012

47°F

14.50°F  
68.50°F

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Phone Book

Home

Calls and Messages (516) 867-0493

Place a Call | Recent

Calls and Messages

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Phone Book

View Status: All

Calling Features	Status	Call From	Call To	Time & Date
Voice Mail Settings	Incoming Call	(213) 286-9999	(516) 867-0493	Yesterday 06:00 PM
Calendar	Outgoing Call	(516) 867-0493	(516) 546-8800	Yesterday 05:17 PM
Directories	Incoming Call	WIRELESS CALLER	(516) 867-0493	Yesterday 09:35 AM
Administration	Incoming Call	UNASSIGNED	(516) 867-0493	12/30/2011 10:56 AM
Extras	Incoming Call	Unavailable	(516) 867-0493	12/29/2011 06:49 PM
	Incoming Call	(800) 592-0230	(516) 867-0493	12/29/2011 04:11 PM
	Incoming Call	(516) 364-8006	(516) 867-0493	12/29/2011 12:16 PM
	Outgoing Call	(516) 867-0493	(516) 364-9000	12/29/2011 11:36 AM
	Outgoing Call	(516) 867-0493	(516) 364-9000	12/29/2011 10:51 AM
	Outgoing Call	(516) 867-0493	(516) 364-9000	12/28/2011 10:48 AM

Delete

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Today: 12/22/2011  
50°F High  
Low: 41°F  
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Call From

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Date &amp; Time

Voice Mail Settings

Outgoing Call

(516) 867-0493

JOHN HOLLAND

12/22/2011 12:38 PM

Outgoing Call

(516) 867-0493

(877) 927-7268

12/22/2011 12:08 PM

Calendar

Incoming Call

(516) 354-6006

(516) 867-0493

12/22/2011 11:20 AM

Directories

Incoming Call

CREDIT ONE BANK

(516) 867-0493

12/22/2011 09:45 AM

Administration

Incoming Call

WASHINGTON

(516) 867-0493

12/22/2011 08:24 AM

Incoming Call

WASHINGTON

(516) 867-0493

12/21/2011 08:25 PM

Extras

Outgoing Call

(516) 867-0493

(516) 594-8088

12/21/2011 04:29 PM

Incoming Call

ECN COMMUNITY

(516) 867-0493

12/21/2011 02:17 PM

Incoming Call

CREDIT ONE BANK

(516) 867-0493

12/21/2011 02:16 PM

Incoming Call

UNASSIGNED

(516) 867-0493

12/21/2011 02:06 PM

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Cohen &  
Skolowitz  
for Portfolios

calls after cease &amp; desist letter

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received 11/15/11  
48°F  
to 32°F  
Powered by WeatherBug

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Phone Book

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Calls and Messages (516) 867-0493

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View Status All

Calling Features	Status	Call From	Call To	Date & Time
Voice Mail Settings	Outgoing Call	(516) 867-0493	(516) 578-3878	12/20/2011 04:52 PM
Calendar	Outgoing Call	(516) 867-0493	(516) 678-3878	12/20/2011 04:50 PM
Directories	Incoming Call	CREDIT ONE BANK	(516) 867-0493	12/20/2011 03:19 PM
Administration	Incoming Call	CREDIT ONE BANK	(516) 867-0493	12/20/2011 09:27 AM
Extras	Incoming Call	(516) 364-6006	(516) 867-0493	12/20/2011 08:33 AM
	Incoming Call	(213) 286-9999	(516) 867-0493	12/19/2011 05:55 PM
	Incoming Call	CREDIT ONE BANK	(516) 867-0493	12/19/2011 02:08 PM
	Incoming Call	MEDICAL GRP LYN	(516) 867-0493	12/19/2011 01:34 PM
	Outgoing Call	(516) 867-0493	MomDad	12/19/2011 10:35 AM
	Outgoing Call	(516) 867-0493	MomDad	12/19/2011 09:36 AM

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Search the Web

Search

Current: NY, USA

 46°F  
 44-48°F  
 49-55°F  
 Power10W Forecasting

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Calling Features	Status	Call From	Call To	Date & Time
Voice Mail Settings	Incoming Call	UNASSIGNED	(516) 867-0493	12/02/2011 05:24 PM
Calendar	Incoming Call	EDN COMMUNITY	(516) 867-0493	12/02/2011 04:37 PM
Directories	Incoming Call	MemDad	(516) 867-0493	12/02/2011 10:11 AM
Administration	Incoming Call	UNAVAILABLE	(516) 867-0493	12/01/2011 11:29 AM
	Incoming Call	(516) 364-6006	(516) 867-0493	12/01/2011 09:39 AM
Extras	Incoming Call	UNASSIGNED	(516) 867-0493	11/30/2011 11:25 AM
	Incoming Call	UNAVAILABLE	(516) 867-0493	11/30/2011 10:24 AM
	Incoming Call	ELECTROMEDICA	(516) 867-0493	11/29/2011 04:12 PM
	Incoming Call	(217) 290-2860	(516) 867-0493	11/29/2011 02:38 PM
	Incoming Call	FLORIDA	(516) 867-0493	11/29/2011 02:31 PM

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Weather: Mon 11/19/11  
46°F  
10:48 AM  
11/19/11  
Powered by WeatherBug

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Status

Call From

Call To

Date &amp; Time

Voice Mail Settings

Incoming Call

UNASSIGNED

(516) 867-0493

11/16/2011 05:43 PM

Incoming Call

(516) 364-6006

(516) 867-0493

11/16/2011 12:27 PM

Calendar

Incoming Call

UNAVAILABLE

(516) 867-0493

11/16/2011 09:58 AM

Directories

Incoming Call

UNAVAILABLE

(516) 867-0493

11/16/2011 06:00 PM

Administration

Incoming Call

605

(516) 867-0493

11/16/2011 06:04 PM

Extras

Incoming Call

JOHN HOLLAND

(516) 867-0493

11/16/2011 05:50 PM

Incoming Call

NEW YORK

(516) 867-0493

11/16/2011 12:04 PM

Incoming Call

Unavailable

(516) 867-0493

11/14/2011 01:01 PM

Incoming Call

UNAVAILABLE

(516) 867-0493

11/14/2011 11:43 AM

Incoming Call

Mom/Dad

(516) 867-0493

11/10/2011 12:47 PM

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